SUPERIOR COURT OF NEW JERSEY LAW DIVISION: MIDDLESEX COUNTY

ASBESTOS LITIGATION

ANN & PHILLIP RIPLEY,

Plaintiff(s),

VS.

BRENNTAG NORTH AMERICA, et al.

Defendant(s).

Docket No: L-562-18 (AS)

Civil Action

CASE MANAGEMENT ORDER I AMENDED

This matter having previously come in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on <u>February 13, 2018</u>, and counsel having agreed upon and requested certain extensions to Case Management Order I;

| FIRM | ATTORNEY | CLIENT |
|-------------------|---------------|---|
| Simon Greenstone | Leah Kagan | Plaintiff(s) co-counsel with Szaferman Lakind |
| Drinker Biddle | Justin Ginter | Johnson & Johnson; Johnson & Johnson Consumer |
| Hoagland Longo | Jacob Grouser | Whittaker Clark & Daniels |
| Rawle & Henderson | Paul Smyth | Cyprus Amax Minerals |

IT IS on this <u>27th</u> day of <u>AUGUST</u>, <u>2018</u>, that Case Management Order I is hereby;

AMENDED as follows:

Counsel receiving this Order through computerized electronic medium (E-Mail) shall be deemed by the court to have received a copy of the filed original court document. Any document served pursuant to this Order shall be deemed to be served by mail pursuant to *R*.1:5-2.

EARLY SETTLEMENT

September 28, 2018 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

September 28, 2018 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

October 12, 2018 Summary judgment motions shall be filed no later than this date.

November 9, 2018 Last return date for summary judgment motions.

MEDICAL DEFENSE

December 14, 2018 Defendants shall identify its medical experts and serve medical reports, if any, by this date. In

addition, defendants shall notify plaintiff's counsel (as well as all counsel of record) of a

joinder in an expert medical defense by this date.

LIABILITY EXPERT REPORTS

September 28, 2018 Plaintiff shall identify its liability experts and serve liability expert reports or a certified expert

statement by this date or waive any opportunity to rely on liability expert testimony.

December 14, 2018 Defendants shall identify its liability experts and serve liability expert reports, if any, by this

date or waive any opportunity to rely on liability expert testimony.

ECONOMIST EXPERT REPORTS

September 28, 2018 Plaintiff shall identify its expert economists and serve expert economist report(s), if any, by

this date or waive any opportunity to rely on economic expert testimony.

December 14, 2018 Defendants shall identify its expert economists and serve expert economist report(s), if any,

by this date or waive any opportunity to rely on economic expert testimony.

EXPERT DEPOSITIONS

January 14, 2019 Expert depositions shall be completed by this date. To the extent that plaintiff and defendant

generic experts have been deposed before, the parties seeking that deposition in this case must file an application before the Special Master and demonstrate the necessity for that deposition. To the extent possible, documents requested in a deposition notice directed to an expert shall be produced three days in advance of the expert deposition. The expert shall not be required

to produce documents that are readily accessible in the public domain.

PRE-TRIAL AND TRIAL

December 6, 2018 The settlement conference previously scheduled on this date is **cancelled**.

January 11, 2019 @ 10:00am Settlement conference. All defense counsel shall appear with authority to negotiate

settlement and have a representative authorized to negotiate settlement available by phone. Any request to be excused from the settlement conference shall be made to

the Special Master no later than 4:00pm of the day prior to the conference.

February 4, 2019 Pretrial Information Exchange submissions due.

February 11, 2019 Trial-Ready Date. (The January 14, 2019 trial is adjourned to this date.)

Plaintiff(s) counsel shall serve a copy of this Order upon any additional counsel immediately upon receipt.

/s/ Ana C. Viscomi
ANA C. VISCOMI, J.S.C.

cc: Clerk, Mass Tort